

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
D E P A R T M E N T O F H E A L T H



*Safe and Healthy Lives in Safe and Healthy Communities*

STATE OF RHODE ISLAND AND  
PROVIDENCE PLANTATIONS  
DEPARTMENT OF HEALTH  
BOARD OF MEDICAL LICENSURE AND  
DISCIPLINE

No. C95-087

In the matter of  
Mary L. Giovetti, M.D.  
MD #7491

Consent Order

Pursuant to R.I. Gen. Laws §5-37-5.2, 1956, as amended, (1995 Reenactment) a complaint was filed with the Board of Medical Licensure and Discipline (hereinafter referred to as "Board") charging Respondent, with violations of §5-37-5.1. An investigation was conducted by Investigating Committee I, so called, of the Board.

The following constitutes the Investigating Committee's Findings of Fact with respect to the professional performance of the Respondent.

Findings of Fact

1. The Respondent is a licensed physician who once practiced primarily in the area of obstetrics and gynecology at a northern Rhode Island clinic. The Respondent was the subject of a number of reports, some of which were of concern to the Board of Medical Licensure and Discipline, which alleged, inter alia, a failure to adhere to the minimum standards of acceptable care in the field of obstetrics.

2. The Board of Medical Licensure and Discipline finds that the Respondent failed to adhere to the minimum standards of care in the treatment of an obstetrical case by inappropriately interpreting fetal monitoring strips and failing to perform a cesarean operation when indicated.

3. The Board of Medical Licensure and Discipline finds that Dr. Giovetti violated R.I.G.L. 5-37-5.1(19) for failure to meet the minimum standards of acceptable care in the practice of obstetrics in regard to the matter referenced in paragraph 2 hereof.

**The parties agree as follows:**

- (1) The Respondent is a physician licensed and doing business under and by virtue of the Laws of the State of Rhode Island, allopathic license No. MD 7491.
- (2) Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.
- (3) Respondent has read this Consent Order and understands that it is a proposal of Investigating Committee I of the Board and is subject to the final approval of the Board. This Consent Order is not binding on Respondent until final ratification by the Board.
- (4) Respondent hereby acknowledges and waives:
  - a. The right to appear personally or by counsel or both before the Board;
  - b. The right to produce witnesses and evidence in his behalf at a hearing;

- c. The right to cross examine witnesses;
- d. The right to have subpoenas issued by the Board;
- e. The right to further procedural steps except for specifically contained herein;
- f. Any and all rights of appeal of this Consent Order;
- g. Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
- h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;
- i. Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order.

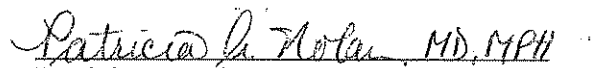
(5) If the Consent Order is not accepted by the Respondent, the Investigative Committee will recommend to the Board that an Administrative Hearing be scheduled with respect to any and all acts of alleged unprofessional conduct. If the Board approves, a Hearing Committee will be convened for the purpose of conducting the Administrative Hearing. The composition of the Hearing Committee votes in favor or finding the Respondent guilty of unprofessional conduct as specified in the charges, the Board shall prepare written finding of fact and law in support of said conclusion. If the accused is found not guilty, the Board shall, forthwith, issue an order dismissing the charges.

- (6) Acceptance of this Consent Order constitutes an admission by the Respondent that the Findings of Fact were made.
- (7) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board.
- (8) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.
- (9) The Respondent agrees not to resume the practice of obstetrical care until further order of the Board. Further, the Respondent agrees to attend a minimum of twenty (20) hours of continuing medical education in certain areas approved in advance by the Board. The Respondent further agrees to a probationary period for three (3) years and such CME requirements are completed to the satisfaction of the Board.

Signed this 27<sup>th</sup> day of November, 1999.

  
Mary L. Giovetti, M.D.

Ratified by the Board of Medical Licensure and Discipline at a meeting held on November 17, 1999.

  
Patricia A. Nolan, MD, MPH  
Director of Health  
Chairperson  
Board of Medical Licensure and Discipline